



Planning Commission Meeting Minutes January 18, 2022

Chairperson: Todd Culver, Presiding
Commissioners Present: Jeremy Moritz, Susan Jackson, Roger Bristol, and Rhonda Giles via Zoom
Absent: Kent Wullenwaber, and Kurt Kayner
Staff Present: City Administrator/Planner Michele Eldridge, and Finance Officer/Deputy City Recorder Cathy Nelson
Meeting Location: Harrisburg Municipal Center located at 354 Smith St.

CALL TO ORDER AND ROLL CALL: Order was called at 7:00pm by Chairperson Todd Culver.

CONCERNED CITIZEN(S) IN THE AUDIENCE. Everyone present were there for items on the agenda.

NEW BUSINESS

THE MATTER OF APPOINTING A CHAIRPERSON AND VICE CHAIR FOR CALENDAR YEAR 2022.

Moritz nominated Todd Culver for Chairperson for calendar year 2022 and was seconded by Bristol. The Planning Commission then voted unanimously to Appoint Todd Culver as Chairperson for calendar year 2022.

Culver nominated Jeremy Moritz for Vice Chair for calendar year 2022 and was seconded by Bristol. The Planning Commission then voted unanimously to Appoint Jeremy Moritz as Vice Chair for calendar year 2022.

APPROVAL OF MINUTES

Moritz motioned to approve the minutes and was seconded by Jackson. The Planning Commission then voted unanimously to Approve the Minutes for November 2, 2021 and November 16, 2021.

PUBLIC HEARING

THE MATTER OF THE KNEBEL PRELIMINARY PARTITION APPLICATION (LU 437-2021).

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Chairperson Todd Culver read aloud the order of proceedings, and noted the procedures for a continuance, and the process to keep the record open.

At the hour of 7:04PM, the Public Hearing was opened.

Culver asked if there were any Conflicts of Interest or any Ex Parte contacts.

None stated.

There were no rebuttals in relation to Conflicts of Interest, or Ex Parte Contacts.

Culver then read aloud the criteria that were relied upon for this land use hearing and noted additional copies of criteria near the door. He also directed the audience on how they would need to direct testimony towards the applicable criteria, and how an appeal could be made.

STAFF REPORT: Eldridge gave a brief background of the application for the property on 5th and Kesling Street. She highlighted the recommended conditions of approval found on page 20 of the agenda packet.

- Moritz requested clarification that condition #4, a waiver of remonstrance, puts the future costs of street improvement on the homeowner at that time and if the applicants were aware of this and agreed. Eldridge said that was correct and they had agreed.
- Moritz asked if all new construction utilities were underground as stated in Condition #5. Eldridge replied that they are if feasible and depending on the construction.
- Moritz stated that the lot line was zig-zagged (page 33). He asked if parcel 1 would also need a variance if they wanted to add anything. Eldridge said that was correct and suggested that they change the wording in condition 6 to read, "No development of structure on southeast corner of Parcel No. 1 or the northwest corner of Parcel No. 2 shall be allowed because it does not meet the minimum 60' lot width requirement at the front building line, without the applicant first applying for a variance."

APPLICANTS TESTIMONY: Applicant, Nicholas Knebel, stated that the surveyor suggested the lot lines and that they would be okay with having to get a variance for Parcel No.1.

- Moritz asked the applicant if Parcel No. 2 was going to be a 5th Street of Kesling Street address. Applicant replied they are going to have the front on 5th Street.

TESTIMONY IN FAVOR, IN OPPOSITION, AND NEUTRAL TESTIMONY WAS ASKED FOR. No testimony of any kind supplied, nor were there any rebuttals.

The public hearing was closed at the hour of 7:34 pm.

- **Bristol motioned to approve as amended the Knebel preliminary partition application (LU 437-2021) He was seconded by Giles. The Planning Commission then voted unanimously to approve the Knebel preliminary application (LU 437-2021), subject to the modified conditions of approval in the January 10, 2022, staff report. This motion is based on findings presented in the January 10, 2022, staff report to the Planning Commission, and findings made by the Commission during deliberations on the request at the January 18, 2022 public hearing.**

THE MATTER OF THE KNEBEL PRELIMINARY PARTITION APPLICATION (LU 437-2021).

Chairperson Todd Culver read aloud the order of proceedings, and noted the procedures for a continuance, and the process to keep the record open.

At the hour of 7:39 PM, the Public Hearing was opened.

Culver asked if there were any Conflicts of Interest or any Ex Parte contacts.

None stated.

There were no rebuttals in relation to Conflicts of Interest, or Ex Parte Contacts.

Culver then read aloud the criteria that were relied upon for this land use hearing and noted additional copies of criteria near the door. He also directed the audience on how they would need to direct testimony towards the applicable criteria, and how an appeal could be made.

STAFF REPORT: Eldridge gave a brief background of the application. She highlighted the recommended conditions of approval found on page 43 and 44 of the agenda packet.

- Condition No. 1 states that the site plan must show where the swale will be located.
- Condition No. 3 is for street frontage and lines out the easements required.
- The Department of State Lands (DSL) has advised their own recommendations as shown on page 44 of the agenda packet under the "Development Repeated Concerns" section.
- Moritz asked if the driveway was going to be a hard surface. Eldridge replied that the first 25' of the driveway will be concrete or pavement. Frontage for the driveway is on Territorial and Parcel No. 2 meets requirements. Parcel No. 3 does not, it will need a variance.
- Bristol asked about existing ditch. Eldridge showed on page 59 that it runs along the west side.

APPLICANTS TESTIMONY: Applicant, Garrett McCormick (via Zoom) and owner, Keith Birley, were present. McCormick asked that if wetlands are discovered, would they need to do mitigation. Eldridge said that would be up to DSL. There are a lot of ways to go about it.

- Bristol asked if discharging storm water in the waterways was going to create a problem. Eldridge said the swells will take care of it on site.

TESTIMONY IN FAVOR, IN OPPOSITION, AND NEUTRAL TESTIMONY WAS ASKED FOR. No testimony of any kind supplied, nor were there any rebuttals.

The public hearing was closed at the hour of 8:14 pm.

- Bristol motioned to approve the Talanton Design preliminary partition application (LU 436). He was seconded by Moritz. The Planning Commission then voted unanimously to approve the Talanton Design preliminary partition application (LU 436), subject to the conditions of approval in the January 10, 2022, staff report. This motion is based on findings presented in the January 10, 2022, staff report to the Planning Commission, and findings made by the Commission during deliberations on the request at the January 18, 2022, public hearing.
- Bristol motioned to approve the Talanton Design variance application (LU 438). He was seconded by Jackson. The Planning Commission then voted unanimously to approve the Talanton Design variance application (LU 438),

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subject to the conditions of approval in the January 10, 2022, staff report. This motion is based on findings presented in the January 10, 2022, staff report to the Planning Commission, and findings made by the Commission during deliberations on the request at the January 18, 2022, public hearing.

OTHERS

- Resignation letter for Roger Bristol read by Chairman Todd Culver, effective immediately. Bristol has served as a public servant for over 14 years and is moving out of the County and will no longer meet the requirements to hold a seat on the Planning Commission.
- Update on code development: Legislature has passed that will affect the draft code. We will need to make some modifications that will push back the timeline.

With no further discussion, the meeting was adjourned at the hour of 8:26 pm.

Chairperson

City Recorder